

**UNITED STATE DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MICHELLE SELBEE, Individually and as  
Next Friend of Z.S., a minor,

Plaintiff,

-v-

Case No. 11-CV-000330  
Hon. Robert J. Jonker

KALAMAZOO COUNTY, a Municipal Corporation,  
DEPUTY LARRY CZARNOWSKI and DEPUTY  
NICHOLAS MIHALEK,

Defendants.

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VEN R. JOHNSON (P39219)  
Counsel for Plaintiff  
Buhl Building  
535 Griswold Street, Suite 2632  
Detroit, Michigan 48226  
(313) 324-8300

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ALLAN C. VANDER LAAN (P33893)  
ANDREW J. BREGE (P71474)  
Attorney for Defendants  
2851 Charlevoix Drive SE, Suite 327  
Grand Rapids, Michigan 49546  
(616) 975-7470

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**ORDER APPROVING SETTLEMENT AND AUTHORIZING DISTRIBUTION  
OF SETTLEMENT PROCEEDS**

At a session of said Court held in  
the City of Grand Rapids, State of Michigan  
on: December 21, 2012

PRESENT: Hon. Robert J. Jonker  
UNITED STATES DISTRICT COURT JUDGE

Upon motion of Plaintiff, the Court having read Plaintiff's Motion To Approve Settlement and Authorize Distribution of Settlement Proceeds; the Court being advised that the settlement is as to Plaintiff and defendants in a total amount of \$1,100,000.00, and the Court being otherwise fully advised in the premises;

**IT IS ORDERED** that this settlement is fair and reasonable and in the best interest of Zachary, a minor;

**IT IS FURTHER ORDERED** that this settlement between the defendants is full and final; that the defendants shall be and are hereby dismissed as parties with prejudice;

**IT IS FURTHER ORDERED** that the settlement proceeds of the above-cited settlement be distributed as follows:

- a. \$53,212.88, payable to Johnson Law, PLC said sum representing costs expended in pursuing this matter (\$8,046.86 to Fieger Firm and \$45,176.02 to Johnson Law, PLC);
- b. \$348,929.04 payable to Johnson Law, PLC said sum representing attorney fees pursuant to the Contingent Fee Agreement between Plaintiff's counsel and Plaintiff (\$91,963.14 to Fieger Firm and \$256,965.90 to Johnson Law, PLC);
- c. \$500.00 payable to Charles Clapp, Esq., for Guardian Ad Litem costs and fees incurred;
- f. The net proceeds herein which, after deduction of the above costs and fees, total \$698,858.08:

1. Zachary Selbee, a minor **\$50,000.00**  
Structured Settlement: periodic payments provided by Berkshire Hathaway Life Insurance Company of Nebraska to Zachary Selbee as follows

Benefits: Beginning February 19, 2016 (age 20), \$400.00 payable monthly for 12 years and 6 months, guaranteed, with the last guaranteed payment made July 19, 2028.

2. Michelle Selbee **\$227,858.08 cash and \$420,000.00 structured**  
Periodic payments provided by Berkshire Hathaway Life Insurance Company of Nebraska to Michelle Selbee as follows:

Benefits: Beginning March 1, 2013, \$1,440.00 payable monthly for the life of Michelle Selbee, guaranteed 25 years, with the last guaranteed payment on February 1, 2038; \$20,000.00 payable July 1, 2016, guaranteed.

**IT IS FURTHER ORDERED** that this Order constitutes the final Order in this matter and the case can be closed.

/s/Robert J. Jonker  
Hon. Robert J. Jonker  
United States District Judge

Dated: December 21, 2012